

DE 99-058

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

**Petition for License to Cross Public Waters in the City of
Manchester, New Hampshire**

**Order NISI Granting License for Electric Lines Over and Across
Public Waters**

O R D E R N O. 23,207

May 3, 1999

The Petitioner, Public Service Company of New Hampshire (PSNH), filed on April 19, 1999, a petition under RSA 371:17 for a license to construct and maintain electric lines over and across the public waters of Pine Island Pond in the City of Manchester, New Hampshire. The proposed electric lines are to provide temporary service to a PSNH customer located on Pine Island in Pine Island Pond.

In support of its petition, PSNH submitted plan and profile drawings D-7649-402A and D-7649-402 of the crossing. These are attached to the petition as Exhibits A1 And A2. The proposed crossing will be an overhead secondary tap (120/240V), using three hundred feet (300 feet) of #2 triplex service wire from existing PSNH pole # 36 1/2 on Goffs Falls Road to Pine Island. PSNH pole # 36 1/2 on Goffs Falls Road has been duly licensed by the City of Manchester, Pole License #11-873, a copy of which is attached to the petition as Exhibit B. The PSNH customer requesting the temporary service is the owner of the property on both sides of the water crossing, encompassing all of

the land between Goffs Falls Road and Pine Island, and inclusive of Pine Island, at this location.

The installation methods to be used in the stringing of the #2 triplex cable will avoid any impacts to wetlands in the area of the crossing, and therefore no wetlands permits will be required. PSNH has stated, and Staff agrees, that the use and enjoyment by the public of these public waters will not be substantially affected as a result of the proposed electric line crossing.

PSNH has attested and Staff agrees that the construction of the electric lines will meet or exceed the requirements of the National Electrical Safety Code (NESC).

In order to establish reliable service to the public, PSNH must construct electric lines over and across certain public waters. The definition of public waters contained in RSA 371:17 includes "all ponds of more than ten acres, tidewater bodies, and such streams or portions thereof as the Commission may prescribe." The Commission prescribes this crossing to be across public waters.

The Commission finds such crossings necessary for PSNH to meet its obligation to provide reliable electric service within its authorized franchise area. Accordingly, we find that the crossing is in the public good. Therefore, we will approve the petition on a Nisi basis in order to provide any interested party the opportunity to submit comments on said petition or to

request a hearing.

Based upon the foregoing, it is hereby

ORDERED NISI, that PSNH is authorized, pursuant to RSA 371:17 et seq., to construct, maintain, and operate the electric lines over and across the Pine Island Pond in Manchester, New Hampshire depicted on drawings submitted April 19, 1999 and on file with this Commission; and it is

FURTHER ORDERED, that all construction and future reconstruction to this approved crossing shall conform to the requirements of the NESC and all other applicable safety standards in existence at that time; and it is

FURTHER ORDERED, that the Petitioner shall cause a copy of this Order Nisi to be published once in a statewide newspaper of general circulation or of circulation in those portions of the state where operations are conducted, such publication to be no later than May 10, 1999 and to be documented by affidavit filed with this office on or before May 17, 1999; and it is

FURTHER ORDERED, that a copy of this Order Nisi shall be provided to the Manchester, New Hampshire City Clerk by May 10, 1999; and it is

FURTHER ORDERED, that all persons interested in responding to this petition be notified that they may submit their comments or file a written request for a hearing on this matter before the Commission no later than May 20, 1999; and it

is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than May 25, 1999; and it is

FURTHER ORDERED, that this Order Nisi shall be effective June 3, 1999, through June 30, 1999, unless the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire this third day of May, 1999.

_____ Douglas L. Patch Chairman	_____ Susan S. Geiger Commissioner	_____ Nancy Brockway Commissioner
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Attested by:

Thomas B. Getz
Executive Director and Secretary